

REMARKS

The above-identified patent application has been amended and reconsideration and reexamination are requested in accordance with the provisions of 37 CFR 1.116(a).

The examiner rejected claims 1-4, 6-16, and 18-33 under 35 U.S.C. § 102 (b) as anticipated by Markham.

Claims 1, 13 and 24 have been amended to clearly distinguish over Markham. Claim 1 is illustrative. Claim 1 as amended now calls for verifying that articles in a grouped order belong to the grouped order. This is accomplished in part by scanning unique identifier codes on tags associated with articles in the grouped order to determine that the articles belong in the grouped order. Claim 1 further recites indicating to an operator if the scanned unique sequential code does not correspond to an item that belongs in the grouped order.

Applicant provides an apparatus and method to verify that grouping of items into a group order was done correctly. Such grouping can be accomplished manually or by an automated process, such as that described in Markham. Applicant provides a verification process and system that operates on an already grouped order. Markham has no such teaching.

Markham relates to a system that is used to assemble articles into groups. As applicant described in the specification such a system is cumbersome and moreover does not meet the needs of smaller establishments.

The examiner contends that the reference teaches indicating to an operator if the scanned unique sequential code does not correspond to an item that belongs in the grouped order. The examiner relies on Col 8 lines 4 to col 10 lines 12 and FIG. 1. This contention is incorrect. First, Markham is dealing with ungrouped articles and tries to group them into plural groups. Markham does not operate on the grouped order. Second, Markham neither describes nor suggests an indication that an article does not belong in a group. Rather, Markham teaches an indication that the article belongs in some group. Markham accomplishes this by specifying the location i.e., hook on which to place articles by activating a light over the hook to tell an assembler where to hang the article of clothing. The examiner contends at the bottom of page 3 of the office action that "...the data processor ... selects the storage location 84 that is already assigned by sending a

signal to the indicator.” (Emphasis supplied). Applicant points out that this statement and teaching, clearly teaches away from the claimed invention since there is not a pre-assigned storage location for articles being verified. According to applicant's claim 1, therefore if the method determines that the article does not belong in the grouped order, the article is not sent to another storage location but is identified as not belonging to the grouped order.

Markham cannot verify that a subsequently assembled order or group was correctly done. Applicant points out in the specification instances where it is desirable to test if grouping of articles was done correctly. Thus, indicating to an operator if the scanned unique sequential code does not correspond to an item that belongs in the grouped order is neither described nor suggested by Markham and serves to distinguish Claim 1 from Markham.

Applicant's claims 13 and 24 include similar limitations as above and thus are distinguished from Markham. Claims that depend directly or indirectly from Markham add distinctive features as discussed of record.

The examiner rejected claims 27-33 under 35 U.S.C. § 103 (a) as obvious over Markham in view of Amacher.

The examiner considers that Markham taken with Amacher teaches indicators to indicate to an operator when counting of articles is complete. These claims are distinguished from the references. Markham does not describe or suggest the basic elements of the base claims as discussed above, and the examiner admits that Markham does not suggest the limitations of these elements.

Amacher relates to indicators used at scanning stations for a grocery store. Amacher's system does not count or verify groupings of the articles scanned. Amacher's indicators merely indicate whether the system can read the code on the scanned item. Accordingly, there is no suggest to combine the teachings of the reference and the combination does not lead to applicant's invention. Claim 27, which recites ... scanning a ticket ... to retrieve the number of articles in the group or a specific permanent tags numbers in the group and matching numbers scanned from permanent labels on the articles to either a group number or a permanent number associated with the permanent tags is not suggested. Claim 28, which recites indicating to an operator that the verification process has started, or claim 29 that the verification process has ended are not suggest since none of the references describe or suggest a verification process. So

Applicant : Paul E. Massod
Serial No. : 09/334,574
Filed : June 21, 1999
Page : 5

Attorney's Docket No.: 10925-002001

too claim 30 which recites indicating to an operator that the verification process has ended unsuccessfully is not suggested.

The remaining claims are distinct for similar reasons. Hence, claims 27-33 are distinct over the references.

The art cited but not applied neither describes nor suggests the claimed invention whether taken separately or in combination with the applied reference.

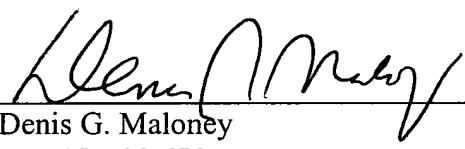
Applicant respectfully requests entry of this response. Entry in accordance with 37 CFR 1.116(a) is proper since it places the application in condition for allowance and/or materially reduces the issues on appeal. Moreover, the amendments made do not necessitate a new search. Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be allowed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

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Version with markings to show changes made

In the claims:

Claims 1, 13 and 24 have been amended as follows:

1. (Twice amended) A method of inventory management comprises:

verifying that articles in a grouped order belong to the grouped order, wherein verifying [further] comprises:

examining codes on tags by scanning unique identifier codes on the tags, each tag associated with one [each] article in the group to determine that the article belongs in the grouped order; [with examining further comprising:] and

indicating to an operator if the scanned unique sequential [identification] code does not correspond to an item that belongs in the grouped order.

13. (Twice Amended) A computer program product residing on a computer readable media for use in a dry cleaning establishment comprises instructions for causing a computer to: verify that articles in a grouped order belong in the grouped order, wherein instructions to verify [further] comprise instructions to:

examine codes on tags and scan unique identifier codes on the tags, each tag associated with [each] one article in the group to determine that the article belongs in the grouped order], with instructions to examine further comprising instructions to:]; and

indicate to an operator if the scanned unique sequential [identification] code does not correspond to an item that belongs in the grouped order.

24. (Twice Amended) An apparatus for verifying inventory grouping comprises:

a scanner to scan codes on labels;

a computer having a computer readable storage media storing a computer program product comprises instructions for causing the computer to:

verify that articles in a grouped order belong in the grouped order, wherein instructions to verify [further] comprise instructions to:

Applicant : Paul E. Massod
Serial No. : 09/334,574
Filed : June 21, 1999
Page : 7

Attorney's Docket No.: 10925-002001

examine codes on tags and scan unique identifier codes on the tags, each tag associated with [each] one article in the group to determine that the article belongs in the grouped order[, with instructions to examine further comprising instructions to:]; and

indicate to an operator if the scanned unique sequential [identification] code does not correspond to an item that belongs in the grouped order.